

## **APPENDIX A**

### **PROPOSED REGULATION ORDER**

## PROPOSED REGULATION ORDER – Part 1

Set forth below are the proposed amendments to title 13 of the California Code of Regulations. Proposed amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions. Amendments to these regulations that were adopted by the Board on March 27, 2007 as part of a rulemaking for zero-emission vehicles, but which have not yet been approved by the Office of Administrative Law are indicated in double underline to indicate additions and ~~double-strikeout~~ to indicate deletions.

### **§ 1961. Exhaust Emission Standards and Test Procedures - 2004 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles.**

*Introduction.* [No change.]

(a) *Exhaust Emission Standards.* [No change.]

(b) *Emission Standards Phase-In Requirements for Manufacturers.*

(1) *Fleet Average NMOG Requirements for Passenger Cars and Light-Duty Trucks.*

(A) through (D) [No change.]

(E) *Treatment of ZEVs.* ZEVs classified as LDTs (>3750lbs. LVW) that have been counted toward the ZEV requirement for PCs and LDTs (0-3750 lbs. LVW) as specified in sections 1962 and 1962.1 shall be included as LDT1s in the calculation of a fleet average NMOG value.

(2) through (3) [No change.]

(c) *Calculation of NMOG Credits for Passenger Cars and Light-Duty Trucks.* [No change.]

(d) *Test Procedures.* The certification requirements and test procedures for determining compliance with the emission standards in this section are set forth in the "California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," as amended ~~May 2, 2008~~ [insert date of amendment for this rulemaking], and the "California Non-Methane Organic Gas Test Procedures," as amended July 30, 2002, which are incorporated herein by reference. In the case of hybrid electric vehicles and on-board fuel-fired heaters, the certification requirements and test procedures for determining compliance with the emission standards in this section are set forth in the "California Exhaust Emission Standards and Test Procedures for 2005 and ~~Subsequent through 2008~~ Model Zero-Emission Vehicles, and 2001 and ~~Subsequent through 2008~~ Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes," incorporated by reference in section 1962 and the "California Exhaust Emission Standards and Test Procedures for 2009 and Subsequent Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the

Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes,” incorporated by reference in section 1962.1.

(e) *Abbreviations.* [No change.]

Note: Authority cited: Sections 39500, 39600, 39601, 43013, 43018, 43101, 43104 and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 39667, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43204, and 43205, Health and Safety Code.

**§ 1962. Zero-Emission Vehicle Standards for 2005 and Subsequent through 2008 Model Year Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles.**

Sections (a) through (g). [No change.]

(h) *Test Procedures.* The certification requirements and test procedures for determining compliance with this section 1962 are set forth in "California Exhaust Emission Standards and Test Procedures for 2005 and Subsequent through 2008 Model Zero-Emission Vehicles, and 2001 and Subsequent through 2008 Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes," adopted by the state board on August 5, 1999, and last amended ~~December 19, 2003~~ [insert date of amendment for the zero-emission vehicle rulemaking] [insert date of amendment for this rulemaking], which is incorporated herein by reference.

Section (i) through (k). [No change.]

Note: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43104 and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 39667, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43204, and 43205.5, Health and Safety Code.

**§ 1962.1. Zero-Emission Vehicle Standards for 2009 and Subsequent Model Year Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles.**

Sections (a) through (g). [No change.]

**(h) Test Procedures.**

**(1) Determining Compliance.** The certification requirements and test procedures for determining compliance with this section 1962.1 are set forth in "California Exhaust Emission Standards and Test Procedures for 2009 and Subsequent Model Zero-Emission Vehicles, and 2004 and Subsequent Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes," adopted by the state board on August 5, 1999, and last amended [insert date of amendments for the zero-emission vehicle rulemaking] and last amended [insert date of amendment for this rulemaking], which is incorporated herein by reference.

Sections (h)(2) through (l). [No change.]

Note: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43104 and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 39667, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43107, 43204, and 43205.5, Health and Safety Code.

**§ 1976. Standards and Test Procedures for Motor Vehicle Fuel Evaporative Emissions.**

Sections (a) and (b). [No change.]

(c) The test procedures for determining compliance with the standards in subsection (b) above applicable to 1978 through 2000 model year vehicles are set forth in "California Evaporative Emission Standards and Test Procedures for 1978-2000 Model Motor Vehicles," adopted by the state board on April 16, 1975, as last amended August 5, 1999, which is incorporated herein by reference. The test procedures for determining compliance with standards applicable to 2001 and subsequent model year vehicles are set forth in the "California Evaporative Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles," adopted by the state board on August 5, 1999, and as last amended ~~October 17, 2007~~ [insert date of amendment for this rulemaking], which is incorporated herein by reference.

Sections (d) through (f). [No change.]

Note: Authority cited: Sections 39600, 39601, 39667, 43013, 43018, 43101, 43104 and 43107, Health and Safety Code. Reference: Sections 39003, 39500, 39667, 43000, 43013, 43018, 43100, 43101, 43102, 43104 and 43107, Health and Safety Code.

## **§ 1978. Standards and Test Procedures for Vehicle Refueling Emissions.**

Section (a). [No change.]

(b) The test procedures for determining compliance with standards applicable to 1998 through 2000 gasoline, alcohol, diesel, and hybrid electric passenger cars, light-duty trucks, and medium-duty vehicles are set forth in the “California Refueling Emission Standards and Test Procedures for 1998-2000 Model Motor Vehicles,” as amended August 5, 1999, which is incorporated herein by reference. The test procedures for determining compliance with standards applicable to 2001 and subsequent gasoline, alcohol, diesel, and hybrid electric passenger cars, light-duty trucks, and medium-duty vehicles are set forth in the “California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles,” adopted August 5, 1999, and last amended ~~October 17, 2007~~ [insert date of amendment for this rulemaking], which is incorporated herein by reference.

Note: Authority cited: Sections 39600, 39667, 43013, 43018, 43101, and 43104, Health and Safety Code. Reference: Sections 39003, 39500, 39667, 43000, 43013, 43018, 43101, 43102, and 43104, Health and Safety Code.

## Proposed Regulation Order – Part 2

Note: The regulation text is shown in underline to indicate additions to and ~~strikeout~~ to indicate deletions from the current regulations. For ease of review, the text of section 2032, which is proposed for adoption as a new regulation, is shown without underline as permitted by section 8, title 2, California Code of Regulations.

Amend the title of article 5, chapter 1, division 3, title 13, California Code of Regulations and adopt section 2032, title 13, California Code of Regulations to read:

Article 5. Approval of Systems Designed to Convert Motor Vehicles to Use Fuels Other Than the Original Certification Fuel or to Convert Motor Vehicles for Emission Reduction Credit or to Convert Hybrid Electric Vehicles to Off-Vehicle Charge Capable Hybrid Electric Vehicles

### § 2032. Off-Vehicle Charge Capable Hybrid Electric Vehicle Conversion Systems

#### (a) Applicable Standards.

Hybrid electric vehicles for the 2000 and later model years in the passenger car, light-duty truck, and medium-duty vehicle classes, converted to incorporate off-vehicle charging capability shall meet the California emission standards for the model year of original manufacture and certification.

#### (b) Applicable Test Procedures.

The certification and installation procedures that shall apply for approval of systems that convert 2000 and later model-year hybrid electric vehicles in the passenger car, light-duty truck, and medium-duty vehicle classes to use off-vehicle charging are contained in the “California Certification and Installation Procedures for Off-Vehicle Charge Capable Conversion Systems for 2000 and Subsequent Model Year Hybrid Electric Vehicles,” adopted by the state board on [INSERT DATE OF ADOPTION], which are incorporated herein by reference.

#### (c) Definitions.

The definitions that apply to section 2032, title 13, CCR, are contained in sections 1900, 1962, and 1962.1, title 13, CCR, and the test procedures incorporated by reference in paragraph (b), section 2032, title 13, CCR.

NOTE: Authority cited: Sections 39515, 39600, 39601, 43000, 43006, and 43013, Health and Safety Code. Reference: Sections 43000, 43004, 43006, 43008.6, and 43013, Health and Safety Code; and Sections 27156 and 38391, Vehicle Code.